

**INDEX OF DOCUMENTS
FILED IN STATE COURT**

Tab	Document	Alleged Filing Date
1	Summons and Complaint	June 25, 2007

Doc ID: Type: COU
Recorded: 06/25/2007
Fee Amt: \$210.00 Page 1 of
Rockland County, NY
Paul Piperato County Clerk
SU-2007-05185

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ROCKLAND

-----A
MONTAMER CORPORATION,

Plaintiff,

- against -

SUMMONS

Index No.:

Date filed:

HARTFORD INSURANCE COMPANY OF THE MIDWEST,


Defendant.
-----X

TO THE ABOVE NAMED DEFENDANT:

YOU ARE HEREBY SUMMONED and required to serve upon plaintiffs' attorney an answer to the complaint in this action within twenty days after the service of this summons, exclusive of the day of service, or within thirty days after the service is complete if this summons is not personally delivered to you within the State of New York. In case of your failure to answer, judgment will be taken against you by default for the relief demanded in the complaint.

The basis of venue is the location of the principal office of Plaintiff which is 14 Hillside Avenue, West Nyack, New York 10994

Dated: Newburgh, New York
June 20, 2007


JOSEPH P. RONES
FINKELSTEIN & PARTNERS, LLP
Attorneys for Plaintiff
436 Robinson Avenue
Newburgh, N.Y. 12550
(845) 562-0203

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ROCKLAND

-----X
MONTAMER CORPORATION,

Plaintiff,

- against -

COMPLAINT
Index No.:

HARTFORD INSURANCE COMPANY OF THE MIDWEST,

Defendant.
-----X

FILED SL

JUN 25 2007

**ROCKLAND COUNTY
CLERK'S OFFICE**

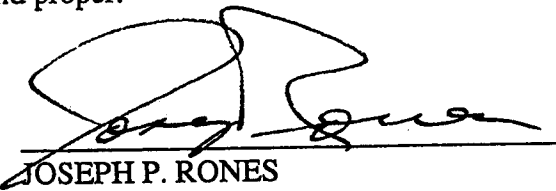
Plaintiff, complaining of the defendant, alleges:

1. Plaintiff is a domestic corporation with its principal office at 14 Hillside Avenue, West Nyack, New York 10994.
2. Defendant is foreign property and casualty insurance company whose principal office is Hartford Plaza, Hartford, Connecticut 06115, and it is authorized to do business in the State of New York.
3. In consideration of the premium paid to it by the plaintiff, the defendant made and executed its policy of fire insurance.
4. On or about March 25, 2006, within the period covered by the policy of fire insurance, the property of the plaintiff was damaged by a fire and resultant discharge of water from the fire suppression system in the building occupied by the plaintiff and by the fire department hosing the entire property with water to extinguish the fire.
5. The fire and resultant discharge of water as aforesaid, did not occur from any of the causes excepted in the said policy of fire insurance.

6. The loss and damage sustained by the plaintiff due to the casualty as aforesaid is \$694,256.51.00, pursuant to the plaintiff's proof of loss sworn to May 9, 2006 which included plaintiff's claim for lost business income for six months from the date of the fire.
7. No part of the aforesaid loss and damage has been paid by the defendant, although the same has been duly demanded, except for an initial payment of \$17,060.00 plus credit for a \$1,000.00 deductible as set forth in the said policy of insurance leaving a balance due plaintiff of \$676,196.51.
8. In addition to the foregoing, due to defendant's refusal to timely pay for the loss as aforesaid, the plaintiff has sustained additional loss of business income at the estimated rate of \$25,000.00 per month from September 26, 2006 until the date plaintiff makes payment for the plaintiff's loss and damage as aforesaid to permit plaintiff to replace its lost inventory and resume normal business activity.
9. The plaintiff has performed all of the conditions of the policy.

WHEREFORE, plaintiff requests judgment against defendant in the sum of \$676,196.51, and the addition lost business income as set forth above, plus interest, costs and disbursements, together with such other and further relief as the court deems just and proper.

Dated: June 20, 2007.



JOSEPH P. RONES
FINKELSTEIN & PARTNERS, LLP
Attorneys for Plaintiff
436 Robinson Avenue
Newburgh, N.Y. 12550
(845) 562-0203

VERIFICATION


STATE OF NEW YORK)
)ss.:
COUNTY OF ORANGE)

I am the President of the plaintiff corporation in the above entitled action, I have read the foregoing Complaint, know the contents thereof and the same are true to my knowledge.



RATKO PICURIC

Sworn to before me this
20th day of June, 2007


JOSEPH P. RONES
Notary Public, State of New York
Qualified in Orange County
Commission Expires June 30, ~~19~~ 2010